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No : 1787/DEL NP/2005 /8147

Dated the:

To

REMFY & SAGAR,
REMFY HOUSE MILLENNIUM PLAZA
SECTOR 27, GURGAON. 122002,

0 5 FEB 2007

SUB : FIRST EXAMINATION REPORT

REF : - PATENT APPLICATION NO. 1787/DELNP/2005

NAME OF APPLICANT. R.P.SCHERER TECHNOLOGIES, INC.,

With reference to request no 3883 made on 21/10/2005 by you for examination the above quoted application has been examined under section 12 of the Patents Act, 1970 as amended and the First Examination Report containing a statement of objections is forwarded herewith for compliance thereof.

The documents enclosed shall be resubmitted within 12 (Twelve) months from the date of issue of the said report together with your observation if any, in connection with the compliance of the requirements of this first Examination report.

The application referred to will be deemed to have been abandoned under section 21(1) unless all the requirements imposed by the said Act and the rules there under are complied with within the above said prescribed period.

The pages of the complete specification should be freshly typed wherever corrections or interpolation are made. The typed pages in duplicate should be on white pages in order that clear photocopies of the specification can be prepared. The original pages in that case should be returned to this office duly cancelled.

It is in the interest of the applicant to comply with the requirements at the earliest.


(ROHIT RATHORE)

Examiner of Patents & Designs
For Controller of Patents & Designs

Encl. :-

1. APPLICATION FORM.
2. COMPLETE SPECIFICATION

NOTE : All Communications to be sent to the Controller of Patents at the above address



1787/DELNP/2005

In view of EP 0618906 & lacks

1. Subject matter of claims lacks novelty/~~&~~ inventive step in view of cited documents (1) WO-03/030881, (2) WO-93/13074, (3) WO-01/19336, (4) WO-93/12769, (5) EP-0618906 & (6) EP-0914818 hence does not constitute an invention under section 2(1)(j) of the Indian Patents Act.
2. Claims 1-18 fall(s) within the scope of such clause (d) & (e) of section 3 of Indian Patent Act.
3. Claims are not clear in respect of the expression as indicated therein.
4. Claims are not clearly worded as indicated therein.
5. Claims do not sufficiently define the invention as indicated therein.
6. Title is inconsistent with claims
7. Title does not sufficiently indicate the subject matter of the invention.
8. Clerical mistake in address of applicant. The same may be amended as per provisions of the patent act.
9. Abstract should be filed as per rule 13(7) of Indian Patent Act.
10. Extraneous matter of the specification should be deleted and fresh retyped pages should be filed.
11. Pages of the specification should be renumbered.
12. Details regarding applications for patents which may be filed outside India from time to time for the same or substantially the same invention should be furnished within six months from the dates of filing of the said application(s) under clause (b) of sub section (1) of section 8 and rule 12(1) of the Indian Patent Act.
13. Details regarding the search and/or examination report including claims of the applications allowed, as referred to in Rule 12(3) of the Patents Rule, 2003, in respect of same or substantially the same inventions filed in all the major Patent Offices, such as USPTO, EPO, and JPO etc., along with appropriate translation where applicable, should be submitted within a period of six months from the date of receipt of this communication as provided under section 8(2) of the Indian Patents Act.